



George

ATTORNEY DOCKET NO.: 061030-0013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

G. SHANKAR *et al.*

Application No.: 09/904,099

Filed: July 11, 2001

For: CHIMERIC G PROTEIN  
COUPLED RECEPTORS

Confirmation No.: 1334

Group Art Unit: 1646

Examiner: J. Ulm

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 26, 2003, the period for replying to which has been extended three-months through March 26, 2004, finally rejecting claims 1-27.

1. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.



Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of

time

03/29/2004 HDEMESS1 00000051 500310 09904099

01 FC:2253 265.00 DA  
02 FC:2401 165.00 DA

- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: **\$265.00** (small entity).

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ An extension for 2 months has already been secured and the fee paid therefor of \$210.00 (small entity) is deducted from the total fee due for the total months of extension now requested.

2. Notice of Appeal Fee - 37 C.F.R. § 1.17(b)

- ☒ The fee in the amount of \$165.00 (small entity) to cover the appeal fee is enclosed.
- ☒ The Commissioner is authorized to charge the appeal fee of **\$165.00** (small entity) to Deposit Account No. 50-0310.

3. Fee Payment

- ☒ The Commissioner is authorized to charge Deposit Account No. 50-0310 in the amount of **\$430.00** (small entity) representing \$165.00 (small entity) for the Notice of Appeal fee and \$265.00 (small entity) for the balance of three-month extension of time fee.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: March 26, 2004

By:

  
\_\_\_\_\_  
Dean L. Fanelli  
Reg. No. 48,907

**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202-739-3000  
Fax: 202-739-3001